

**RESOLUTION NO. R03-**

**A RESOLUTION OF THE LEON COUNTY BOARD OF COUNTY COMMISSIONERS; FINDING THAT SENATE BILL 676 LIMITS COUNTY HOME RULE AUTHORITY OVER THE OPERATION AND CONSTRUCTION OF THE STATE HIGHWAY SYSTEM; FINDING THAT SENATE BILL 676 WILL REDUCE THE COUNTY'S ABILITY TO PARTICIPATE IN MEETING OUR TRANSPORTATION NEEDS WHILE PROTECTING THE ENVIRONMENT AND ENFORCING THE WILL OF THE PEOPLE; REQUESTING THAT THE GOVERNOR OF THE STATE OF FLORIDA VETO SENATE BILL 676 (RELATING TO TRANSPORTATION); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the 2003 Legislature of the State of Florida adopted Committee Substitute for Senate Bill 676, a bill relating to transportation; and

**WHEREAS**, Section 59 of Committee Substitute for Senate Bill 676 provides that regulations of counties, municipalities and special districts shall not apply to existing or future transportation facilities or appurtenances thereto, on the State Highway System; and

**WHEREAS**, Committee Substitute for Senate Bill 676 will severely limit Leon County's ability to protect the health, safety and welfare of its citizens by, including but not limited to, enforcing ordinances that regulate noise that is generated by State Highway System construction projects; prevent the placement of sign clutter in the right-of-way that is part of the State Highway System; require the removal of illegal billboards that have been placed on FDOT property that is part of the State Highway System; regulate destruction of trees so as to minimize the removal of trees and protect the environmental quality during the construction of projects on the State Highway System; regulate the siting of new structures that are placed on the State Highway System to hold personal wireless service facilities (cell towers); regulate the inclusion of pedestrian and bicycle lanes as part of construction of projects on the State Highway System; and

**WHEREAS**, the Board of County Commissioners finds that Section 59 of Committee Substitute for Senate Bill 676 will significantly reduce the County's ability to participate in meeting our community's transportation needs while protecting the quality of our environment and enforcing the will of our citizens and desires that the Governor veto Committee Substitute for Senate Bill 676.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AS FOLLOWS:**

- Section 1. The County Commission hereby adopts each of the findings of fact as set forth above.
- Section 2. The County Commission hereby requests that the Governor of the State of Florida veto Committee Substitute for Senate Bill 676.

Section 3. If any provision of this Resolution is for any reason finally held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed as a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of this Resolution.

Section 4. This Resolution shall take effect immediately upon its adoption.

**DONE, ADOPTED, AND PASSED** by the Board of County Commissioners of Leon County, Florida, this 10th day of June, 2003.

LEON COUNTY, FLORIDA

BY: \_\_\_\_\_  
TONY GRIPPA, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

ATTESTED BY: \_\_\_\_\_  
BOB INZER, CLERK OF THE COURT

BY: \_\_\_\_\_  
CLERK

APPROVED AS TO FORM:

COUNTY ATTORNEY'S OFFICE  
LEON COUNTY, FLORIDA

BY: \_\_\_\_\_  
HERBERT W. A. THIELE, ESQ.  
COUNTY ATTORNEY